

REMARKS

Claims 1-4, 7-11, 13-16, 19 and 20 are pending. All pending claims are rejected under 35 U.S.C. § 112 or 35 U.S.C. § 101. Claims 1-4, 8-11, 13-16 and 19 are amended. Support for these amendments is found throughout the specification; for example; at Figs. 1, 2, and 4; page 4, line 23, through page 5, line 21; and at page 15. No new matter has been added.

Interview Summary

Applicants thank Examiner Zee for participating in the interview with Attorneys Richard Soderberg and Andrew Dommer. The present claims and proposed amendments were discussed. The Examiner indicated that the proposed amendments fully addressed the Section 112 and Section 101 rejections.

Claim Rejections – 35 U.S.C. § 112, First Paragraph

The Examiner rejected claims 1-4, 7-11, 13-16 and 19-20 under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description requirement. This rejection is rendered moot by the above amendments, but Applicants are not conceding that the rejection has merit. Applicants submit that the claims as amended are patentable and request allowance of the claims.

Claim Rejections – 35 U.S.C. § 112, Second paragraph

The Examiner rejected claims 1-4, 7-11, 13-16 and 19-20 under 35 U.S.C. 112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which the applicants regard as the invention. This rejection is rendered moot by the above amendments clarifying the claim language, which the Examiner indicated addressed the Section 112, second paragraph rejections. Applicants submit that the claims as amended are patentable and request allowance of the claims.

Claim Rejections – 35 USC § 101

The Examiner rejected claims 1-4, 7, 13-16 and 19-20 under 35 U.S.C. 101 because the claimed invention was allegedly directed to non-statutory subject matter. The Examiner indicated that the amended claims addressed the Section 101 rejections. Applicants submit that the claims as amended are patentable and request allowance of the claims in view of the remarks below.

CONCLUSIONS

Accordingly, claims 1-4, 7-11, 13-16, and 19-20, as amended, appear to be in a form for allowance. As such, Applicants request that the Examiner allow claims 1-4, 7-11, 13-16, and 19-20.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

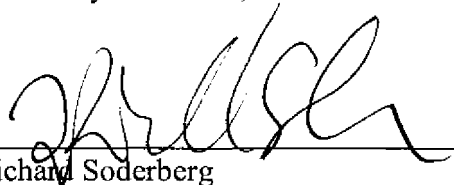
Please apply any charges or credits to deposit account 06-1050.

Applicant : Tom Cheng et al.
Serial No. : 10/720,447
Filed : November 25, 2003
Page : 11 of 11

Attorney Docket No.:13914-0033001 / 2003P00877 US

Respectfully submitted,

Date: 2/20/09



J. Richard Soderberg
Reg. No. 43,352

Fish & Richardson P.C.
60 South Sixth Street
Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (877) 769-7945

60550157.doc